

1 ARLO H. SMITH #96971
2 66 San Fernando Way
3 San Francisco, CA 94127
4 (415) 681-9572
5

6 Attorney for Matthew D. Sawyer,
7 Beverly Kennedy
8 Ruben Hernandez, Jr.
9 R.I. Refrigeration Supply Co., Inc.
10

11
12 U.S. District Court, Northern District of California
13

14 Rodney Martin et al.

NO. CV 07-05747 EMC

15
16 Plaintiffs
17

**JOINDER IN MOTION TO
DISMISS**

18 vs.
19

[FRCP 12(b)(1), (2), (3) & (6)]

20
21 D. Andrew Byrne, et al.,
22

Hearing: Jan. 23, 2008

23 Defendants
24

10:30 AM

Courtroom C

Magistrate Chen
25
26
27

28 Defendants Beverly Kennedy, Ruben Hernandez, Jr., and R.I.
29

30 Refrigeration Supply Co., Inc. hereby join in the Motion To Dismiss
31

32 previously filed by Matthew D. Sawyer and set for hearing on the above date.
33
34

35 DATED: 12/20/07

/s/

36
37 _____
38 ARLO H. SMITH , Attorney for Matthew D.
39 Sawyer, Beverly Kennedy, Ruben Hernandez,
40 Jr., R.I. Refrigeration Supply Co., Inc.
41
42
43
44
45
46
47
48

1
2
3 ARLO H. SMITH #96971
4 66 San Fernando Way
5 San Francisco, CA 94127
6 (415) 681-9572
7

8 Attorney for Matthew D. Sawyer
9 Beverly Kennedy
10 Ruben Hernandez, Jr.
11 R.I. Refrigeration Supply Co., Inc.
12

13
14 U.S. District Court, Northern District of California
15

16 Rodney Martin et al.
17

NO. CV 07-05747 EMC

18 Plaintiffs
19

PROOF OF SERVICE

20 vs.
21

Hearing: Jan. 23, 2008

22 D. Andrew Byrne, et al.,
23

10:30 AM

Courtroom C

Magistrate Chen

24 Defendants
25
26
27

28 PROOF OF SERVICE
29
30

31 I, the undersigned, declare: I am over 18 years of age, and not a party to
32 this action. On the date indicated below, I caused a true and correct copy of the
33 documents described below to be mailed to plaintiff in pro se at his
34 address of record:
35
36
37

38
39 Rodney Martin
40 P.O. Box 1591
41 El Cerrito, CA 94530
42
43

44 Documents served by Mail:
45
46

JOINDER IN MOTION TO DISMISS

CONSENT TO PROCEED BEFORE MAGISTRATE

I declare under penalty of perjury the foregoing is true and correct.

DATED: 12/20/07

ARLO H. SMITH , Attorney for Matthew D.
Sawyer, Defendants Beverly Kennedy, Ruben
Hernandez, Jr., R.I. Refrigeration Supply Co.,
Inc.